

REMARKS:

In the outstanding Office Action, the Examiner rejected claims 1-4, 6 and 8-14. Claims 1-4, 6, and 8-11 are amended herein, and new claim 15 is added. No new matter is presented. Claims 5, 7 and 12-14 are cancelled without prejudice or disclaimer.

Thus, claims 1-4, 6, 8-11 and 15 are pending and under consideration. The rejections are traversed below.

CLAIM OBJECTIONS:

In item 4 on page 2 of the Office Action the Examiner objected to claims 9-10 and 13.

By this Amendment, pertinent claims have been amended, and no longer include the language in the form objected to by the Examiner.

Therefore, withdrawal of the rejection is respectfully requested.

CLAIM REJECTIONS UNDER 35 USC §112:

In item 8 on page 6 of the Office Action the Examiner rejected claims 1-4, 6 and 8-14 under 35 U.S.C. §112, second paragraph.

By this Amendment, pertinent claims have been amended and no longer include the language in the form rejected by the Examiner. As mentioned above, claims 12-14 are cancelled herein without prejudice or disclaimer.

Therefore, withdrawal of the rejection is respectfully requested.

CLAIM REJECTIONS UNDER 35 USC §103:

In item 8 on page 6 of the Office Action the Examiner rejected claims 1-4, 6, and 8-11 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2005/0149933 (Saito) in view of U.S. Patent Application Publication No. 2004/0098722 (Funaki). Claims 12-14 were rejected as being unpatentable over Funaki.

As mentioned above, claims 12-14 are cancelled herein without prejudice or disclaimer.

Saito discusses having each operating system managing all executable tasks in a single queue where each task takes: (a) an execution state, (b) an executable state, and (c) a wait state (see, paragraphs 70 and 71). That is, Saito simply determines values for priority where the larger the priority value for the business-use OS 110, the higher the priority and when determining smaller priority for the real-time OS 111 the higher the priority under the OS.

In contrast to Saito, the claimed invention includes “determining whether a non-idle process is included in processes to be executed under control of a General-Purpose operating system based on a process identifier..., the non-idle process being a process waiting for execution under control of the General-Purpose operating system, other than an idle process executed when the General-Purpose operating system proceeds to an idle state.” See also other claims reciting similar features.

The Examiner acknowledges that Saito does not teach or suggest all the features of the claimed invention, but relies on Funaki as teaching the same. More specifically, the Examiner relies on Funaki, at paragraphs [0019-0021], [0030], [0044], [0048-0049], [0086]. However, Funaki merely discusses that a first OS and a second OS are running on the same machine and a scheduler running on a first OS manages tasks on both the first OS and the second OS. Thus, Funaki does not cure the deficiencies of Saito regarding claims of the present application.

Saito and Funaki do not teach or suggest “changing a priority of the task to a higher priority by reading the higher priority stored in a storage unit as a system parameter and setting the priority of the task to the higher priority when it is determined at the determining that the processes to be executed under control of the General-Purpose operating system include the non-idle process...”

Further, even assuming arguendo that Funaki does disclose the features discussed by the Examiner, the Applicants respectfully submit that there is no rationale to combine Saito and Funaki as asserted by the Examiner in the Office Action. The Examiner stated that the combination of Saito and Funaki would be obvious because the Funaki teaching of raising the propriety of the task allows the general purpose operating system to be allocated time to execute non-idle tasks. However, absent improper use of hindsight, there would have been no motivation to combine the teachings of Saito with Funaki.

Even if the teachings of Saito and Funaki were combined, the combination fails to teach or suggest the above-identified features of the claimed invention.

For at least the same reasons as the above indicated with respect to the independent claims, the dependent claims are also patentably distinguishable over the cited references. The dependent claims are also independently distinguishable. For example, claim 3 recites, “changing priority of the task to the primary priority lower than the higher priority by reading the primary priority stored in the storage unit as a system parameter” and “setting the priority of the task to the primary priority after the General-Purpose operating system has been executed at the

higher priority for a predetermined period of time." Saito and Funaki do not teach or suggest at least these features of claim 3.

Therefore, withdrawal of the rejection is respectfully requested.

NEW CLAIM:

New claim 15 is directed to "obtaining identification information, which is stored in a storage area controlled by the operating system, of a processing controlled by the operation system based on address information of the storage area, the address information being included in control information used in the controlling" and "changing a first value of the priority to a second value of the priority when the identification information indicates non-idle processing, wherein the second value is higher than the first value." At least these features are not disclosed or suggested in any of the cited references.

Therefore, withdrawal of the rejection is respectfully requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: September 26, 2011

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